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PATENT

Customer No. 22,852

Attorney Docket No. 09354.0009-00000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Stage of International	)	
Application No. <b>PCT/JP04/11626</b> of:	)	Group Art Unit: 1617
	)	
<b>Christophe DUMOUSSEaux et al.</b>	)	Examiner: Marina Lamm
	)	
Application No.: 10/566,965	)	Confirmation No.: 9332
	)	
Filed: August 16, 2006	)	
	)	
For: COSMETIC COMPOSITION COMPRISING	)	
POROUS PARTICLES INCORPORATING	)	
OPTICALLY ACTIVE SUBSTANCES	)	

**REQUEST FOR CORRECTION OF**  
**NOTICE OF ACCEPTANCE OF APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a copy of the Notice of Acceptance dated May 7, 2007, received from the U.S. Patent and Trademark Office. The following error was found in the Notice of Acceptance:

The date of Receipt of all 35 U.S.C. Requirements is in error. We did not file any papers on August 19, 2006. The correct date is August 16, 2006.

The error has been highlighted on the enclosed copy and the correct information is shown in ink adjacent the erroneous information.

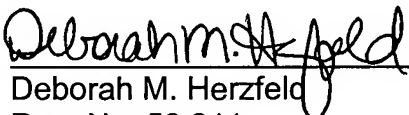
A copy of the date-stamped post card which corroborates the filing of all 35 U.S.C. Requirements on August 16, 2007, is enclosed. A copy of the date stamped

transmittal letter obtained from Private Pair indicating the receipt date of August 16, 2006, is also enclosed. We request a corrected Notice of Acceptance as soon as possible.

If there are any fees due in connection with the filing of this request, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Deborah M. Herzfeld  
Reg. No. 52,211

Dated: August 14, 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

TLI PAG

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/566,965	Christophe Dumousseaux	09354.0009

INTERNATIONAL APPLICATION NO.
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PCT/JP04/11626

I.A. FILING DATE	PRIORITY DATE
08/05/2004	08/05/2003

22852  
 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
 LLP  
 901 NEW YORK AVENUE, NW  
 WASHINGTON, DC 20001-4413

RECEIVED

MAY 09 2007

CONFIRMATION NO. 9332

371 ACCEPTANCE LETTER



\*OC000000023680658\*

Date Mailed: 05/07/2007

FINNEGAN, HENDERSON, FARABOW,  
 GARRETT AND DUNNER, LLP

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

08/16/2006

08/19/2006

08/16/2006

08/19/2006

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
 (c)(4) REQUIREMENTS

DATE OF COMPLETION OF ALL 35 U.S.C. 371  
 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 02/02/2006
- Copy of the International Search Report filed on 02/02/2006
- Oath or Declaration filed on 08/19/2006
- Request for Immediate Examination filed on 02/02/2006
- U.S. Basic National Fees filed on 02/02/2006
- Assignment filed on 08/19/2006
- Priority Documents filed on 02/02/2006

DKT  
 n01  
 5/09/05

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

**PART 1 - ATTORNEY/APPLICANT COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)

TU/PAR

**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

National Stage of International Application No. **PCT/JP04/11626** under 35 U.S.C. 371

35

**In re Application of:** Christophe DUMOUSSEaux et al.

**Application No.:** 10/566,965

**Filed:** February 2, 2006

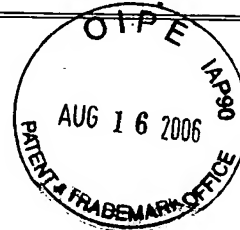
**Group Art Unit:** Unassigned

**Examiner:** Unassigned

**Confirmation No.:** 9332

**FOR:** COSMETIC COMPOSITION COMPRISING POROUS PARTICLES INCORPORATING  
OPTICALLY ACTIVE SUBSTANCES

- 
- PAPERS FILED:**
1. Transmittal Letter (2 pgs.)/copy of Notification of Missing Requirements (2 pgs.)/executed Declaration (2 pgs.)/check for \$130.00
  2. Submission of Assignment of Application/Recordation Form Cover Sheet/executed Assignment (2 pgs.)/check for \$40.00
- 



**Dated:** August 16, 2006

**Client No.:** 09354.0009-00000

**Attorney:** T. Warnement/P. Gebhardtsbauer - MD#620

**DUE DATE:** AUGUST 16, 2006

8/17/06

IAP7 Rec'd PCT/PTO 16 AUG 2006

FORM PTO-1390  
REV. 2/01T

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A  
FILING UNDER 35 U.S.C. 371**

09354.0009-00000

U.S. APPLICATION NO.  
(If known, see 37CFR1.5)

10/566,965

INTERNATIONAL APPLICATION NO.

PCT/JP04/11626

INTERNATIONAL FILING DATE

August 5, 2004

PRIORITY DATE CLAIMED

August 5, 2003

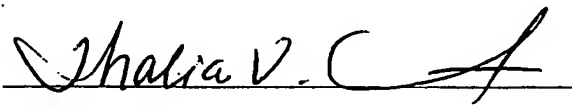
**TITLE OF INVENTION: COSMETIC COMPOSITION COMPRISING POROUS PARTICLES  
INCORPORATING OPTICALLY ACTIVE SUBSTANCES****APPLICANT(S) FOR DO/EO/US: Christophe DUMOUSSEAU et al.**

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☒ Other items or information:
  - a. ☐ Copy of cover page of International Publication No. WO
  - b. ☒ Copy of Notification of Missing Requirements.
  - c. ☐

U.S. APPLICATION NO. (If known, see 37CFR 1.5) <b>10/566,965</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP04/11626</b>		ATTORNEY'S DOCKET NUMBER <b>09354.0009-00000</b>	
21. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> <span style="float: right;">\$ 300.00</span> National Stage Search Fee ..... \$ 500.00 National Stage Examination Fee ..... \$ 200.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> \$</div>				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded up to a whole number)	Rate		
85- 100 =	33/50=		x 250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <span style="float: right;"><input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30</span>				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	- 20 =		x \$ 50.00	\$	
Independent Claims	- 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				\$	130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$	130.00
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <span style="float: right;"><input type="checkbox"/> 20 <input type="checkbox"/> 30</span>				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	130.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. <span style="float: right;">+</span>				\$	40.00
<b>TOTAL FEES ENCLOSED =</b>				\$	170.00
				Amount to be refunded:	\$
				charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>130.00</u> to cover the surcharge fee for late filing of the Declaration and a check in the amount of \$ <u>40.00</u> to cover the Assignment recordation fee are enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> . d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
<b>SEND ALL CORRESPONDENCE TO:</b> Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 901 New York Avenue, NW Washington, D.C. 20001-4413					
DATED: August 16, 2006				 Thalia V. Warnement/Registration No. 39,064 NAME/REGISTRATION NO.	

08/21/2006 LLANDGRA 00000034 10566965

01 FC:1617 130.00 DP